

UNITED STATES DISTRICT COURT

Southern District of New York

HIGHGATE HOUSE, LLC

SUMMONS IN A CIVIL ACTION

V.

MICHELEX CORPORATION

CASE NUMBER:

07 CV 6417

JUDGE JONES

TO: (Name and address of Defendant)

Michelex Corporation
Post Office Box 69
63 Trade road
Massena, NY 13662

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Camilo Cardozo, Esq.
DLA Piper US LLP
1251 Avenue of the Americas, New York, NY 10020

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

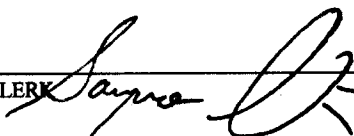
JUL 13 2007

J. MICHAEL McMAHON

CLERK

DATE

(By) DEPUTY CLERK



AO 440 (Rev. 10/93) Summons in a Civil Action -SDNY WEB 4/99

RETURN OF SERVICE

Service of the Summons and Complaint was made by me ¹	DATE July 16, 2007
NAME OF SERVER (PRINT) Camilo Cardozo	TITLE Attorney of Record

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served: _____
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- ☐ Returned unexecuted: _____
- ☒ Other (specify): Pursuant to Article 7.8 of the December 30, 2004 Convertible Debenture Purchase Agreement attached as Exhibit B to the Complaint at issue between the parties to this action, I served the Summons and Complaint by Federal Express overnight delivery upon Michelex Corporation by Thomas Gramuglia, President, at 63 Trade Road, Massena, New York, 13662

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on July 17, 2007
Date

Signature of Server
Camilo Cardozo
DLA Piper US LLP
1251 Avenue of the Americas
New York, New York 10020

Address of Server